

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,

v.

**MARIO BERNARD PEEK,
*also known as Mucho,***

Defendant.

CRIMINAL ACTION FILE

NO. 1:23-CR-125-MHC-RGV-5

ORDER

This action comes before the Court on the February 6, 2025, Final Report and Recommendation (“R&R”) of United States Magistrate Judge Russell G. Vineyard [Doc. 729] recommending that Defendant Mario Bernard Peek’s Motion to Suppress Search and Seizure [Doc. 420] be denied. The Order for Service of the R&R [Doc. 730] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), the parties were authorized to file objections within fourteen (14) days of the receipt of that Order. No objections have been filed within the permitted time period.

Absent objection, the district court judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge,” 28 U.S.C. § 636(b)(1). Based upon the absence of objections to the R&R, in accordance with 28 U.S.C. § 636(b)(1), the Court has reviewed the R&R for plain

error. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). The Court finds no clear error and that the R&R is supported by law.

Accordingly, the Court **ADOPTS** the R&R [Doc. 729] as the Opinion and Order of the Court. It is hereby **ORDERED** that Defendant Mario Bernard Peek's Motion to Suppress Search and Seizure [Doc. 420] is **DENIED**.

It is further **ORDERED** that the time between the date the Magistrate Judge certified Defendant Peek ready for trial on February 7, 2025, and the date that final orders on his co-Defendants' pre-trial motions are issued shall be excluded in calculating the date on which the trial of this case must commence under the Speedy Trial Act, in accordance with 18 U.S.C. § 3161(h)(6).¹

IT IS SO ORDERED this 18th day of March, 2025.



MARK H. COHEN
United States District Judge

¹ Co-Defendants Alexavier Negron, Dresten Toron Daniels, and Kory Keon Solomon still have pending Magistrate Judge's Reports and Recommendations to which objections and responses have been or will be filed, and the Speedy Trial clock will not resume for Defendant Peek and other Defendants until final orders on those R&Rs have been filed.